UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

ROBBIE WALLACE,

Plaintiff,

vs.

Civil No. 2:07-CV-74 (TJW)

No. 2:07-CV-74 (TJW)

Defendant.

ORDER OF DISMISSAL

The Court has considered Defendant United States of America's Motion to Dismiss filed pursuant to Federal Rule of Civil Procedure 12(b)(5), and the Court having considered the motion and any response thereto, is of the opinion that the motion is meritorious and should be granted. Accordingly,

It is therefore ORDERED, ADJUDGED and DECREED that Defendant United States of America's Motion to Dismiss is granted in its entirety, and this action be, and it is hereby, dismissed without prejudice.